REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 40-79 are now present in this application. Claims 40, 54, 58, 62, 65, 69, 73 and 79 are independent.

The claims have been amended. No new matter is involved. Support for providing converted signals directly to a mobile cellular network transmitting means is found, for example, in Applicants' Figs. 1-8 and the portions of the specification that describe those figures.

Reconsideration of this application, as amended, is respectfully requested.

Objection to Claims 53, 55 and 58

Claims 53, 55 and 58 are objected to because of claim dependency informalities and because of a minor grammatical informality. In response to these objections, Applicants have amended claims 53, 55 and 58, as suggested by the Examiner, to overcome these informalities.

Reconsideration and withdrawal of these objections are respectfully requested.

Examiner Interview

Applicants wish to thank the Examiners Hoye and Lonsberry for the courtesies extended to Applicants' representative during the personal interview which was conducted on October 19, 2006. During the interview, Applicants' representative proposed changes to some of the claims in an attempt to overcome some of the prior art rejections of record, and proposed filing an accurate English language translation of Applicants' Korean Priority Application to overcome other rejections of record. The claims that were proposed to be amended during the interview have been amended in the manner discussed during the interview, and the amended claims are believed to patentably define over the applied art. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 40-43, 47, 48 and 50 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,470,378 to Tracton. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

As noted above, independent claim 40, from which claims 41-43, 47 and 48 depend, has been amended. Claim 50, which previously was an independent claim, has been amended to depend from amended claim 40.

Additionally, and as noted above, it was agreed at the interview conducted on October 19, 2006 that claim 40, as amended, appears to patentably define over Tracton, at least because Tracton does not disclose the claimed combination of features including a converting means for converting the received broadcast television signal into a video and audio signal in a format compatible with a signal and transmission standard of the mobile cellular telephone network and for providing the converted format video and audio signal directly to the mobile cellular network transmitting means.

Accordingly, claims 40-43, 47, 48 and 50 are not anticipated under 35 USC §102(e) by Tracton.

Applicants also note that the added language, "is adapted to" is proper, having been approved by the Court of Customs and Patent Appeals in In re Venezia, 189 USPQ 149 (CCPA 1976).

Reconsideration and withdrawal of this rejection of claims 40-43, 47, 48 and 50 are respectfully requested.

Claims 44-46 stand rejected under 35 USC §103(a) as being unpatentable over Tracton in view of U.S. patent 6,263,503 to Margulis. This rejection is respectfully traversed.

Tracton does not disclose or suggest the invention recited in claim 40, from which claims 44-46 depend at least for reasons discussed above. Moreover, Margulis is not applied to remedy the aforementioned deficiencies of Traction. Accordingly, even if one of ordinary skill in the art were properly motivated to modify Tracton in view of Margulis, which it is not, the so-modified version of Traction would neither meet, nor render obvious, the claimed invention.

Moreover, the Office Action fails to provide objective factual evidence or proper motivation to turn to Margulis to modify Traction, as suggested. Margulis is directed to a wireless television

system "preferably configured for economical and efficient use in a home environment" (col. 4, lines 13-15, for example). As such, it is non-analogous art to Tracton, which is not directed to a wireless TV system, and is not directed to solving the same problem as Applicants or Tracton.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the invention recited in claims 44-46.

Reconsideration and withdrawal of this rejection of claims 44-46 are respectfully requested.

Claim 49 stands rejected under 35 USC §103(a) as being unpatentable over Tracton in view of U.S. Patent 6,246,430 to Peters et al. ("Peters"). This rejection is respectfully traversed.

Tracton does not disclose or suggest the invention recited in claim 40, from which claim 49 depends at least for reasons discussed above. Moreover, Peters is not applied to remedy the aforementioned deficiencies of Traction. Accordingly, even if one of ordinary skill in the art were properly motivated to modify Tracton in view of Peters, which is not the case, the so-modified version of Traction would neither meet, nor render obvious, the claimed invention.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the invention recited in claim 49.

Reconsideration and withdrawal of this rejection of claim 49 are respectfully requested.

Claims 51-53 stand rejected under 35 USC §103(a) as being unpatentable over Tracton in view of Margulis and further in view of U.S. patent 6,005,565 to Legall et al. ("Legall"). This rejection is respectfully traversed.

Tracton does not disclose or suggest the invention recited in claim 40, from which claims 51-53 indirectly depend, at least for reasons discussed above. Moreover, neither Margulis nor Legall is applied to remedy the aforementioned deficiencies of Traction. Accordingly, even if one of ordinary skill in the art were properly motivated to modify Tracton in view of Margulis and Legall, which is not the case, the so-modified version of Traction would neither meet, nor render obvious, the claimed invention.

Furthermore, Applicants respectfully submit that the Office Action fails to provide objective factual evidence that one of ordinary skill in the art would be properly motivated to modify Tracton

in view of Margulis, as suggested, for reasons discussed above regarding traversing the rejection of claims 44-46.

Additionally, Legall contains no disclosure of transmitting television programs and is non-analogous to both Margulis and Tracton.

The alleged motivation to incorporate the EPG searching of Legall into the aforementioned improper reference combination is because "Legall is evidence that ordinary workers would appreciate the ability to search an EPG." Applicants respectfully disagree. Just because someone would want to search an EPG does not mean that they would modify the aforementioned improper reference combination to search an EPG the way Legall does, especially in view of the fact that Legall does not even mention the word "television" in its application and does not deal with wireless broadcast television, like Margulis does.

Accordingly, the Office Action fails to make out a *prima facie* case of proper motivation to modify the aforementioned Tracton-Margulis improper reference combination in view of Legall.

Reconsideration and withdrawal of this rejection of claims 51-53 are respectfully requested.

Claims 54-65 and 69-70 stand rejected under 35 USC §103(a) as being unpatentable over Margulis in view of U.S. Patent Application Publication 2006.0105804 to Kumar. This rejection is respectfully traversed.

Initially, Applicants note that independent claims 54, 65 and 69 have been amended to positively recite a combination of features that is neither disclosed nor suggested by Margulis or Kumar, including, for example, a transcoding means which converts the provided digital video and audio signal inputted from the digital video and audio input means into a format and transmission rate compatible with transmission over a transmission channel of the mobile cellular telephone network and provides the converted format video and audio signal directly to an allotting transmitting means; or similar method steps. Because neither reference discloses the claimed features, there is no objective factual basis of record for rendering the claimed invention obvious.

Furthermore, Applicants are providing an accurate English language translation of their Korean Priority Application, No. 28811/1999, filed on July 16, 1999, which removes Kumar, whose filing date is April 7, 2000, as a reference under 35 USC §102(e)/103(a). While Kumar claims benefit under 35 USC §119(e) of Provisional Patent Application No. 60/128,138, filed on

April 7, 1999, the Office has not made available to Applicants a copy of that Provisional Patent Application, and, thus, has not made out a *prima facie* case of Kumar as prior art under 35 USC §103(a) as of a date earlier than July 16, 1999. In this regard, Applicants note that they are unable to access the Provisional Patent Application on Public PAIR.

Accordingly, the Office Action fails to make out a *prima facie* case of proper motivation to modify Margulis in view of Kumar to arrive at or otherwise render obvious the claimed invention.

Reconsideration and withdrawal of this rejection of claims 54-65 and 69-70 are respectfully requested.

Claims 66-68 stand rejected under 35 USC §103(a) as being unpatentable over Margulis in view of Kumar and further in view of Peters. This rejection is respectfully traversed.

The Margulis-Kumar reference combination does not disclose or suggest the invention recited in claim 65, from which claims 66-68 depend at least for reasons discussed above. Moreover, Peters is not applied to remedy the aforementioned deficiencies of the Margulis-Kumar reference combination. Accordingly, even if one of ordinary skill in the art were properly motivated to modify the Margulis-Kumar reference combination in view of Peters, which is not the case, the so-modified version of the Margulis-Kumar reference combination would neither meet, nor render obvious, the claimed invention.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the invention recited in claims 66-68.

Reconsideration and withdrawal of this rejection of claims 66-68 are respectfully requested.

Claims 71-78 stand rejected under 35 USC §103(a) as being unpatentable over Margulis in view of Kumar and further in view of Tracton. This rejection is respectfully traversed.

Applicants note that (1) independent claim 73, from which claims 74-78 depend, has been amended to positively recite a combination of features including an outputting means for outputting the restored television broadcast from the decoding means directly to a mobile cellular network transmitting means for transmission over the mobile cellular telephone network to and (2) for viewing on the mobile cellular communication subscriber terminal; and that claim 69, from which

claims 70-72 depend, recites similar features, i.e., features which are neither disclosed nor suggested by any of the three applied references.

Thus, no matter how these references are combined, they will not result in, or otherwise render obvious, the claimed invention.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the claimed invention.

Reconsideration and withdrawal of this rejection of claims 71-78 are respectfully requested.

Claim 79 stands rejected under 35 USC §103(a) as being unpatentable over Tracton in view of Margulis and further in view of Tracton. This rejection is respectfully traversed.

Claim 79 has been amended to positively recite a combination of features including, at the format converter, in response to said request from the mobile telephone network, supplying the video and audio data of the selected broadcast television channel directly to the mobile telephone network in a format which is compatible for transmission over the mobile telephone network. This combination of features is neither disclosed nor suggested by any of the three applied references.

Thus, no matter how these references are combined, they will not result in, or otherwise render obvious, the claimed invention.

Furthermore, the Office Action fails to provide objective factual evidence or proper motivation to turn to Margulis to modify Traction, as suggested. Margulis is directed to a wireless television system "preferably configured for economical and efficient use in a home environment" (col. 4, lines 13-15, for example). As such, it is non-analogous art to Tracton, which is not directed to a wireless TV system, and is not directed to solving the same problem as Applicants or Tracton.

Accordingly, the Office Action fails to make out a *prima facie* case of obviousness of the claimed invention.

Reconsideration and withdrawal of this rejection of claim 79 are respectfully requested.

Additional Cited Reference

Because the remaining reference cited by the Examiner has not been utilized to reject the claims, but has merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46,472, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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